IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

FRIDAY, THE 8TH DECEMBER 2006 / 17TH AGRAHAYANA 1928

WP(C).No. 32770 of 2006(A)

PETITIONER:

HARIDASAN, S/O. APPU,
AGED 40 YEARS, THALEKKARA HOUSE,
KATTAKKAMPAL, THRISSUR DISTRICT.

BY ADV. SRI.SAJEEV KUMAR K.GOPAL

RESPONDENTS:

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1. THE REGIONAL TRANSPORT AUTHORITY,
THRISSUR REPRESENTED BY ITS SECRETARY.

2. THE SECRETARY, R.T.A., THRISSUR.

3. SRI.SUBRAMANIAN,
THALAKKOTT HOUSE, EDAPPAL, MALAPPURAM DISTRICT.

4. SRI.VIJAYAN,
THALAKKOTT HOUSE, EDAPPAL, MALAPPURAM DISTRICT.

BY G.P.SRI.M.A.FAYAZ.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Thottathil B. Radhakrishnan, J.

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W.P.(C)No.32770 of 2006

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Dated this the 8th day of December, 2006.

JUDGMENT

Petitioner challenges the grant of permit to respondents 3 and 4 as per Ext.P1 proceedings issued by the Regional Transport Authority, Thrissur by circulation. According to the petitioner, due formalities as enjoined by Rule 103 of the Kerala Motor Vehicles Rules have not been complied with. It is urged that the file was put up to other members after a decision was taken by the Deputy Transport Commissioner and that there was absolutely no need to decide upon the matter by circulation instead of having the matter considered in the open meeting by the RTA. The matter is only at the stage of grant. Petitioner does not, therefore, have any right to object to the grant. This is so because settlement of timings will only follow the grant. The route in question is not one where the total number of permits are limited. So much so, the petitioner cannot have any grievance on that ground also. If the DTC and other authorities in the RTA have

not acted in terms of law, the petitioner can make out a case only if he could be treated as aggrieved, failing which the writ petition is liable to be dismissed. I do so.

In the result, this writ petition is dismissed.

Thottathil B.Radhakrishnan,
Judge.

sl.